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VB

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/479,995	06/07/95	FERGOLIZZI	EN2-(D1) (C2)

ENZO DIAGNOSTICS, INC.  
C/O ENZO BIOCHEM, INC.  
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HM12/0412

EXAMINER

MARSCHEL, A

ART UNIT PAPER NUMBER

1631

32

DATE MAILED: 04/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE  
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ART UNIT	PAPER NUMBER
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DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

It is noted that that amendment, filed 1/19/00, crossed in processing with the suspension letter, mailed 3/15/00.

Newly submitted claims 506-531 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The various labeled nucleic acids and recombinant phages are independent inventions as being directed to either basic hybridization assays or phage cloning practice rather than the bridging entity compositions and methods of the examined claims.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 506-531 are withdrawn from consideration as being directed to a non-elected invention. See 37 C.F.R. § 1.142(b) and M.P.E.P. § 821.03.

All examined claims remain allowable. However, due to a potential interference, *ex parte* prosecution remains SUSPENDED as set forth in the letter, mailed 3/15/00, pending the resolution of said potential interference.

Papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993) (See 37 CFR § 1.6(d)). The CM1 Fax Center number is either (703) 308-4242 or (703) 305-3014.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ardin Marschel, Ph.D., whose telephone number is (703) 308-3894. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, can be reached on (703) 308-4028.

Any inquiry of a general nature or relating to the status of this application should be directed to the Chemical Matrix receptionist whose telephone number is (703) 308-0196.

April 10, 2000

*Ardin H. Marschel*  
ARDIN H. MARSCHEL  
PRIMARY EXAMINER